

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

J.T. TAYLOR,

Plaintiff,

v.

CHAD SMITH,

Defendant.

_____ /

Case No. 23-11883

Judith E. Levy

United States District Judge

Curtis Ivy, Jr.

United States Magistrate Judge

**ORDER FOR YANNIE JONES TO RESPOND TO MOTION FOR
CONTEMPT**

Defendant Chad Smith moved for an order to show cause against non-party Yannie Gizelle Jones for the first time on January 16, 2025. (ECF No. 37). Ms. Jones was scheduled to be deposed but did not appear. Defendant's counsel states that counsel spoke with Jones about her scheduled depositions, and Jones was personally served with the deposition notice, yet she did not appear. (*Id.* at PageID.497-98).

On February 17, 2025, Defendant gave notice that Ms. Jones contacted his counsel and said she would appear for deposition on February 26, 2025. (ECF No. 48).

On April 1, 2025, Defendant moved again for an order to show cause against Ms. Jones for another charge of contempt for failure to participate in the February 26th deposition. (ECF No. 55). Counsel explained that Ms. Jones appeared an

hour late to the deposition and refused to answer background questions. She also left the deposition before counsel could ask case-relevant questions.

Defendant included a certificate of service with their motions stating that the motion was mailed to Jones at her known address. The Court presumes she received a copy of the motion.

Jones is **ORDERED** to respond to the motion for order to show cause explaining her failure or refusal to answer questions and terminating the deposition. Her response, in writing is due **on or before April 23, 2025**. The response must identify this case by including the parties' names and the case number, as shown at the top of this Order in the case caption. Jones must mail or deliver the response to this address:

Theodore Levin United States Courthouse
C/O Clerk's Office
231 W. Lafayette Blvd.
Detroit, MI 48226

Defendant must serve a copy of this Order and another copy of his motion on Jones **on or before April 9, 2025**. Defendant may accomplish service by certified mail, return receipt requested, and delivery restricted to the addressee to the address used to serve the subpoenas and deposition notices, or by personal service. Defendant must file **both** a certificate of service **and** a notice showing Jones was in fact served (e.g., a returned and signed green card or an affidavit from the process server). If Defendant cannot serve Jones by these methods, a notice of

non-service must be filed along with a motion for alternate service, unless Defendant chooses to forgo the deposition.

Jones is warned that if she is served with this Order and fails to timely or adequately respond to Defendant's motion for order to show cause, all or part of the relief requested may be granted.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: April 2, 2025

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge